

MACOMB TOWNSHIP PLANNING COMMISSION
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, JUNE 5, 2007

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: EDWARD GALLAGHER, CHAIRMAN
DEAN AUSILIO, VICE CHAIRMAN
MICHAEL D. KOEHS, SECRETARY
CHARLES OLIVER, MEMBER
JOA PENZIEN, MEMBER
ARNOLD THOEL, MEMBER
DEBORAH ZOLNOSKI, MEMBER

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel
Jack Dailey, Planning Consultant
(Additional attendance on file at the Clerk's Office)

Chairman GALLAGHER called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the entire Commission was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and there were no additions, corrections or deletions made.

MOTION by PENZIEN seconded by AUSILIO to approve the agenda as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES


3. The minutes of the previous meeting held on May 15, 2007 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by OLIVER seconded by THOEL to approve the minutes of the meeting of May 15, 2007 as presented.

MOTION carried.

AGENDA ITEMS

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4.  **Rezoning Request; R-1 to R-2, 19759 23 Mile Road;** Located on the north side of 23 Mile Road, west of the future Broughton Road; Section 16; Michigan Prod. Machining, Inc. Petitioner. Permanent Parcel No. 08-16-400-014.

Mr. Jack Dailey, Planning Consultant, reviewed this item and stated his recommendation to deny this request because it was inconsistent with the Master Plan and inconsistent with the surrounding development.

Mr. Eric Flynn, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by AUSILIO seconded by PENZIEN to recommend to the Township Board that the request be denied for the rezoning R-1 to R-2, 19759 23 Mile Road; Located on the north side of 23 Mile Road, west of the future Broughton Road; Section 16; Permanent Parcel No. 08-16-400-014 because it is inconsistent with the Master Plan and inconsistent with the surrounding development.

MOTION carried.

5.  **Rezoning Request; M-1 to C-2, 49880 Hayes Road;** Located on the east side of Hayes Road, ½ mile north of 22 Mile Road; Section 19; Hayes Macomb Properties Petitioner. Permanent Parcel No. 08-19-300-001.

Mr. Jack Dailey, Planning Consultant, reviewed this item and stated his recommendation of denial because it was inconsistent with the Master Plan.


Mr. Daniel Spatafora, representing the petitioner, was also present to answer any questions which the Commission might have. He also gave a perspective on the history of the development of the surrounding properties.

Mr. Lawrence Dloski, Township Attorney, responded to several questions regarding the zoning of the surrounding parcels which were impacted by a circuit court case decision.

MOTION by AUSILIO seconded by KOEHS to recommend to the Township Board to approve the rezoning request of M-1 to C-2, 49880 Hayes Road; Located on the east side of Hayes Road, ½ mile north of 22 Mile Road; Section 19; Permanent Parcel No. 08-19-300-001 because it would be more consistent with the development of the surrounding properties.

MOTION carried.

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6.  **Preliminary Plan – Site Condominiums; Monarch Estates;** Located on the north side of 22 Mile Rd., ¼ mile east of Garfield Rd.; Section 20; Malburg Partners, LLC, Petitioner. Permanent Parcel No. 08-20-300-013.
Mr. Jack Dailey, Planning Consultant, reviewed this item and stated that this plan meets the ordinance requirements and further stated his recommendation of approval.

Mr. Ken Davis, representing the petitioner, was also present to answer any questions which the Commission might have.

Mr. Bob Steger and Mr. Keith Weiland, neighbors, asked questions and expressed their concerns regarding this development.

MOTION by KOEHS seconded by ZOLNOSKI to recommend to the Township Board to approve the Preliminary Plan – Site Condominiums; Monarch Estates; Located on the north side of 22 Mile Rd., ¼ mile east of Garfield Rd.; Section 20; Permanent Parcel No. 08-20-300-013 with the following conditions:

1. The petitioner shall prepare and submit engineering plans to the Township Engineer for the required approvals from the following agencies in compliance with the State Condominium Act and Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:
 - a. Macomb County Road Commission
 - b. Office of Public Works Commission of Macomb County
 - c. Macomb County Health Department
 - d. Macomb County Planning Commission
 - e. Michigan Department of Environmental Quality
 - f. All public utility companies affected.
 - g. That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying the plat to any public street be installed by the petitioner.
2. The Township Engineer approves all engineering plans for the computed plan.
3. That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.
4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the preliminary plan approval be met.

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5. That all public street drain crossings within the boundaries of the Tentative Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145 (10) of the Macomb Township Code.
6. That all sites meet the requirements of the Township Zoning Ordinances.
7. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further the MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
9. That the unrecorded Master Deed be approved by the Township Attorney and Township Assessor prior to acceptance of the Final Plan Application.
10. All street names are cleared by the Township Supervisor for purposes of continuity prior to preparation of the final plan. That the petitioner submits (2) copies of the plan to the Supervisors office for addressing. Addresses will be assigned after final preliminary plan approval by the Township Board.
11. That the landscape areas be identified as a common area in the Master Deed. Further, that a bond in the amount to be determined by the Township Consulting Engineer be posted. The bond shall be posted prior to receiving construction permits from the Water/Sewer Department.

It is noted that in the development of the landscape easement, that no stones (a cobblestone measuring 3-8" in diameter is permitted) or loose materials are allowed to within 3' of any paved areas.
12. That the preliminary approval expires one year from the date of Township Board approval.
13. If a 'phasing plan' has not been submitted it is assumed that this plan will be developed in one phase. Please be advised that any revisions

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to the phasing plan for this plan must be reviewed and approved by the Planning Commission and Township Board and incorporated into the Preliminary Plan as a Revised Preliminary Plan.

14. That the preliminary approval expires one year from the date of the Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Any request for extension must be received by this office prior to the expiration date.
15. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.
16. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. (In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.)

This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

In connection with splitting, combining or otherwise amending the site plan, that any master deeds prepared in connection with said site plan be amended. The amended master deed, including Exhibit B


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documents, must be submitted to the Township Clerk's Office for review in accordance with Township procedures. The recorded document must be received prior to issuance of building permits.

The same procedure would follow for a revision to the site plan.

- 17. That the petitioner applies for and receive a variance from the requirements of the dedicated landscape area along Lots 16 thru 20. The variance must be received prior to the submission of the Final Plan documents.**
- 18. That the petitioner submits a plan for the development of the park in the approximate center of the site. The landscape plan for the park should be submitted with the Final Plan application and site drawings.**
- 19. That revised drawings be submitted showing the removal of the boulevard islands from the entrance drive.**

MOTION carried.


- 7.  Special Land Use; Austin Catholic Academy; Located on the north side of 23 Mile Road west of North Avenue; Section 14; French Associates, Inc. Petitioner. Permanent Parcel No. 08-14-400-001.**

Mr. Jack Dailey, Planning Consultant, reviewed this item and stated his recommendation of approval.

Ms. Keti Micevska, representing the petitioner, was also present to make a presentation and answer any questions which the Commission might have.


Safety issues were raised by the Planning Commissioners regarding the ingress and egress to this site, which led to the petitioner requesting that the matter be tabled to the first meeting in July in order to allow time to remedy these concerns.

MOTION by AUSILIO seconded by THOEL to table the Special Land Use request for the Austin Catholic Academy to the Planning Commission meeting of July 3, 2007, as requested by the petitioner.

- 8.  Site Plan; Austin Catholic Academy; Located on the north side of 23 Mile Road west of North Avenue; Section 14; French Associates, Inc. Petitioner. Permanent Parcel No. 08-14-400-001.**

MOTION by KOEHS seconded by AUSILIO to table the Site Plan request for the Austin Catholic Academy to the Planning Commission meeting of July 3, 2007, as requested by the petitioner.

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9.  **Technical Change; Stratford Plaza;** Located on the southeast corner of 23 Mile Road and Card Road; Section 23; Benny Sorrentino, Petitioner. Permanent Parcel No. 08-23-100-029.

Mr. Jack Dailey, Planning Consultant, reviewed this item and stated that this matters corrects a drawing flaw on the plan and that the site meets the ordinance. He further stated his recommendation of approval.

Mr. Warren Block, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by KOEHS seconded by THOEL to approve the Technical Change; Stratford Plaza; Located on the southeast corner of 23 Mile Road and Card Road; Section 23; Benny Sorrentino, Petitioner. Permanent Parcel No. 08-23-100-029 with the standard conditions of the Planning Commission, including:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted.
4. The curb radii, curb cuts, including their location, deceleration lanes, by-pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.


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6. **Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.**
7. **That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.**
8. **An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**
9. **That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).**
10. **That all signs be designated on the site plan and meet the Township requirements.**
11. **That the petitioner meet with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.**
12. **MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.**
13. **That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.**

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14. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
15. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
16. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
17. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
18. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited. Minor day to day, in and out display may be permitted when kept behind all established yard setback lines.
19. That all requirements of the Zoning Ordinance be met.
20. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
21. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture. Further, that the plan provide that no lights or glare from lights will shine into the abutting residential areas.
22. That the sign is not a part of this approval. The sign was approved under separate application.

MOTION carried.

10.  **Revised Site Plan; Agree Macomb Township Condominiums;** Located on the southwest corner of 21 Mile and Card Road; Section 34; Agree Limited Partnership. Permanent Parcel No. 08-34-200-018.

Mr. Jack Dailey, Planning Consultant, reviewed this item and stated it now meets the ordinances and further stated his recommendation of approval.

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Mr. Douglas Brinker, representing the petitioner, was also present to answer any questions which the Commission might have.

MOTION by AUSILIO seconded by PENZIEN to approve the Revised Site Plan for the Agree Macomb Township Condominiums; Located on the southwest corner of 21 Mile and Card Road; Section 34; Agree Limited Partnership. Permanent Parcel No. 08-34-200-018 with the standard conditions of the Planning Commission, including:

1. The parking areas to be properly graded, drained and paved within one (1) year's time to the satisfaction of the Township Engineer. Posts to be installed in parking areas to protect exit doors, gas meters, etc.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line and sidewalks to be planted with grass and trees, and maintained. No stones (a cobblestone measuring 3-8" in diameter are allowed) or loose materials are permitted in the areas between the sidewalk and street; however a greenbelt with a three (3) foot cement strip along the curb or street line is permitted. That all lawn areas including the front yard, side yard setbacks, rear yards, the areas between the sidewalk and curbs, and planting beds to be planted with grass and trees and maintained. The term grass means "pre-grown grass" referred to as sod. Seeding of grass areas is not allowed. This standard is derived from the land division ordinance section 17-162A14b(11).
4. The curb radii, curb cuts, including their location, deceleration lanes, by-pass lanes and other geometrics and designs, are subject to approval by the County Road Commission, Michigan Department of Transportation, and the Township Engineer.
5. Sidewalks to be provided to the satisfaction of the Township Engineer.
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture

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lenses, shining or casting light onto adjacent properties. All fixtures under canopies must be installed with flat lenses as indicated by the industry.

- 7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall and be secured with screened gates. All walls to be constructed with a masonry pointed cap, the angle of the pointed cap to be 45 degrees. If additional dumpsters are to be located on the site, each must be enclosed in like manner.**
- 8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed within two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two year time period. The bond must be posted prior to receiving construction permits from the Township Water/Sewer Department.**
- 9. The petitioner/applicant may request the release of the site plan bond when the site has been completed in accordance with all conditions made part of this approval and contained herein. The request for release must be in writing and accompanied by 2 copies of the "As Built Plans". The "As Built Plan" will be compared with the stamped approved Site Plan Drawing to help determine the readiness for release of said bond.**
- 10. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).**
- 11. That all signs be designated on the site plan and meet the Township requirements.**
- 12. That the petitioner meets with the Michigan Department of Environmental Quality (MDEQ) regarding floodplains and/or wetlands to determine any building limitations.**
- 13. MDEQ- That specific conditions and approvals regarding changes to the 100 year flood plain be done so with the understanding that the petitioner shall seek and obtain map revisions or amendments to reflect the lower amendment on the flood plain map as prepared by FEMA, prior to the issuance of any building permits.**

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14. That any required walls or greenbelts be constructed/installed prior to the issuance of a Certificate of Occupancy. All walls to be constructed with a masonry pointed cap, the angle of the point to be 45 degrees. All walls must be constructed on a continuous foundation. The "hung" type wall, that is with panels on channeled pillars, shall not be allowed.
15. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Water and Sewer Department and the County Drain office.
16. That the petitioner properly name any proposed streets or private drives that may be due on the site and coordinate said names with the Macomb Township Supervisor's Office. Addresses are assigned after site plan approval. The petitioner must coordinate said street names with the Macomb Township Supervisor's office and submit (2) plans on 11" x 17" paper.
17. That any future splitting and/or division of any portion of the property or additions to the property, approved in this plan, be reconsidered by the Assessor and Planning Commission. That all splits be approved by the Tax Assessor.
18. That the case of structures in commercial zones that roof mounted appliances and fixtures shall be effectively screened on all sides by the roof line so as not to be visible from off the site.
19. That in the case of commercial zones that outdoor storage and display of merchandise is prohibited.
20. That all requirements of the Zoning Ordinance be met.
21. If the matter being considered is a revised site plan, then all conditions of the earlier approval, that may apply to other features of the plan not being considered for the current revision and whether or not they are noted on the plan herein presented, are to remain in full force and effect.
22. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
23. That the site plan include a site illumination plan containing a detailed profile of each classification of lighting fixture.
24. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an

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application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.


This approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

25. That all lawn areas must be developed in accordance with the zoning ordinance section 10.2402-B-6 which refers to the landscaping design standards of the Township Land Division Ordinance; Sec. 17-162-(b)(11) as amended which provides that all areas must be sodded with pre-grown grass and irrigated which includes all berms setbacks, areas between the sidewalk and curb, islands within the parking area.
26. That both the landscape and the site plan be revised to indicate all berms, setbacks, planting islands in the parking lot and the areas between the sidewalk and curb will be sodded and irrigated.
27. The review of the site plan is predicated on parking required at one space per 150 square feet of building shown and based upon the requirements for retail uses. The petitioner should be apprised of the fact that other uses such as restaurants may require a calculation that would increase the amount of parking based upon the standards of the zoning ordinance. At the time of review of certificate of zoning compliance, this issue will be reviewed based upon the zoning ordinance and the use required at that time. It is also noted that a special land use permit may be required depending upon the requirements of the zoning ordinance and the use proposed.

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28. **Landscape note number 13 on the Landscape Plan (Sheet SP-05) conflicts with the "Landscape Requirement" on the same sheet. The option, "or seeded" must be stricken from note 13.**

MOTION carried.

11.  **Revised Final Preliminary Plat and Extension of Time,;** Margherita Estates, Located on the west side of Card Road approximately ¼ mile north of 22 Mile Road; Rocco Galati, Petitioner; Permanent Parcel No. 08-22-400-014.

Mr. Jack Dailey, Planning Consultant, reviewed this item and stated that this will place the site plan approval dates in the proper order for the State to grant its' approvals. He further stated his recommendation of approval.

MOTION by KOEHS seconded by THOEL to recommend to the Township Board to approve the Revised Final Preliminary Plat for Margherita Estates, Located on the west side of Card Road approximately ¼ mile north of 22 Mile Road; Rocco Galati, Petitioner; Permanent Parcel No. 08-22-400-014 with the standard conditions of the Township including:

1. **The petitioner submits evidence to the satisfaction of the Township Engineer that required approvals have been secured from the following agencies in compliance with Sections 17-87 to 17-90 of Chapter 17 of Macomb Township Code of Ordinances, Land Division Regulations:**
 - a) **Macomb County Road Commission**
 - b) **Office of Public Works Commission of Macomb County**
 - c) **Macomb County Health Department**
 - d) **Macomb County Planning Commission**
 - e) **Michigan Department of Environmental Quality**
 - f) **All public utility companies affected**
 - g) **That a by-pass lane(s) be developed on the abutting major road(s) subject to the approval of the Macomb County Road Commission and the Township Engineer. Also, that any connecting sidewalk tying to the plat to any public street be installed by the petitioner.**
2. **The Township Engineer approves all engineering plans for the computed plat.**
3. **That any detention area meet the requirements of the Township Engineers and any Special Assessment District (SAD) be approved by the Township Board.**

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4. Further, that the Township Engineer be satisfied that those conditions imposed as part of the tentative plat approval have been incorporated into the Final Preliminary Plat.
5. That all lots within the Final Preliminary Plat meet the requirements of the Township Zoning Ordinances.
6. Flood Plain Map Amendments and/or Requirements. Please be advised that it is the responsibility of the applicant to seek and obtain any map revisions or amendments to the flood plain map as prepared by FEMA, through the Michigan Department of Environmental Quality (MDEQ). Further, MDEQ must review and approve any amendments or map revisions that reflect the lower amendment on the flood plain map prior to the issuance of any building permits.
7. That all public street drain crossings within the boundaries of the Final Preliminary Plat shall be provided with public sidewalks on both sides of the street and installed in accordance with 17-145(10) of the Macomb Township Code.
8. That the petitioner comply with all pertinent codes and ordinances, and guarantee that dimensions, acreages, figures, and recorded easements in connection with this plat are true and accurate as they provide the basis for this recommendation.
9. That the "landscape easement" that area labeled on the plat as, "The entire common area is subject to a private easement dedicated to the ownership association for landscaping" has been completed in accordance with the approved landscaping plan, inspections completed to the satisfaction of the Township and the bond posted for the development of this easement released. If the bond has not been released the owner of the subdivision is placed on notice that no building permits may be issued until the landscape easement has been developed in accordance with the approved landscaping plan and the bond released by the Township Board.

It is noted that in the development of the landscape easement, that no stones (a cobblestone measuring 3-8" in diameter is permitted) or loose materials are allowed to within 3' of any paved areas.

10. That the final preliminary approval expires two years from the date of Township Board approval. It is not the responsibility of Macomb Township to notify the petitioner prior to the expiration date of this approval. Please make note of the above date. Application for extension must be received by this office prior to the expiration date.

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11. All street names must be cleared by the Township Supervisor for purposes of continuity as part of the application for the tentative preliminary plat. Any changes in street names must be authorized by Supervisor prior to the acceptance of an application for Final Plat. Addresses will be assigned after Final Preliminary Plat approval by the Township Board.
12. That the temporary street name posts be installed upon completion of the paving. The posts as indicated by the Fire Department are to be 4" x 4" black posts with two inch white letters so that the street can be easily identified during the construction of the plat.
13. That the restrictive covenants that will be recorded as part of this plat, have been approved by the Township Attorney. The "Restrictive Covenants" must be approved by the Township Attorney before an application will be received for Final Plat.
14. That the Articles of Incorporation for the Homeowners' Association for the subdivision have been approved by the Township Attorney. The "Articles of Incorporation" must be approved by the Township Attorney before an application will be received for Final Plat.
15. That the developer shall be responsible for having the Contract between Detroit Edison and Macomb Township executed and must establish the corresponding SAD for lamp charges. These items must be completed prior to the Developer applying for approval of the Final Plat.
16. That the petitioner understands that if the property(ies) involved in this application are not yet split or combined into a single parcel, that an application for split/combination must be submitted and approved by the Assessor's Office. The petitioner must also understand that all codes and ordinances relating to said split/combination must be adhered to including any variances requested or any other actions involving Macomb Township. It is also noted that delays may be necessary in the split/combination procedure because of subsequent public hearings involving variance requests.

In the case of a Site Plan application, an application for said split/combination must be reviewed and approved by the Assessor's Office prior to the issuance of Building Permits. In the case of a Site Condominium or Subdivision Plat application, an application for said split/combination must be approved by the Assessor's Office before the petitioner may submit an application for their next approval step as prescribed by the Macomb Township Land Division Ordinance #17.

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This conditional approval does not provide any assurance or guarantee that any required split or split/combination that was not in place prior to this approval will be approved by any other Township body or other governmental unit.

- 17. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount approved by the Township Engineer, be posted, assuring the Township that all improvements required in accordance within Section 17-133 thru 17-134 of the Township Land Division regulations have been installed to the satisfaction of the Township Engineer. The required improvements must be completed prior to the final plat approval.**

MOTION carried.

12. Motion to receive and file all correspondence in connection with this agenda.

MOTION by THOEL seconded by AUSILIO to receive and file all correspondence in connection with this agenda.

MOTION carried.

PLANNING CONSULTANTS COMMENTS

None.

PLANNING COMMISSIONERS COMMENTS

None.

ADJOURNMENT

MOTION by KOEHS seconded by THOEL to adjourn the meeting at 9:10 p.m.

MOTION carried.

Respectfully submitted,

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Edward Gallagher, Chairman

Michael D. Koebs, CMC
Macomb Township Clerk
Planning Commission Secretary